

Nancy Morris COMPANY:



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/738,938	12/17/2003	Raul G. Barletta	801204-0003

CONFIRMATION NO. 8745

FORMALITIES LETTER



OC000000012224938

27910
STINSON MORRISON HECKER LLP
ATTN: PATENT GROUP
1201 WALNUT STREET, SUITE 2800
KANSAS CITY, MO 64106-2150

Date Mailed: 06/30/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

RESPONSE DUE

8-30-04

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

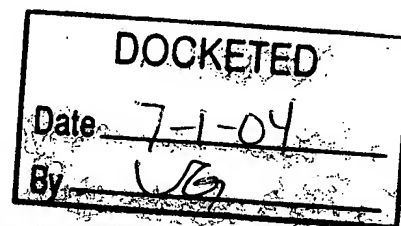
- \$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

07/27/2004 DTESSEM1 00000007 10738938

01 FC:2051

65.00



A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



Serial No. 10/738,938
Attorney Docket No. 801204-0003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors : Raul G. Barletta and Zhengyu Feng
Serial No. : 10/738,938
Filing Date : December 17, 2003
Title : RECOMBINANT MYCOBACTERIA
OVEREXPRESSING D-ALANINE
LIGASE GENE AND USES
THEREFORE

Group/Art Unit : 1652
Examiner : Not yet assigned
Confirmation No. : 8745
Atty. Docket No. : 801204-0003

RESPONSE TO NOTICE TO FILE MISSING PARTS

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Enclosed in response to the Notice to File Missing Parts of Nonprovisional Application mailed on June 30, 2004, in connection with the above-identified application is a properly signed Declaration (1 document, 4 pages) in compliance with 37 CFR §1.63. A check in the amount of \$65.00 is enclosed to cover the surcharge for late filing of the declaration for a small entity.

Certificate of Mailing Under 37 C.F.R. 1.8

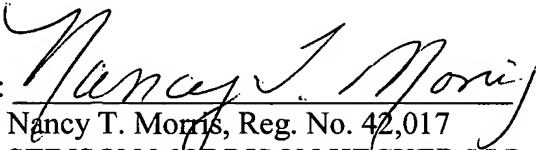
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Missing Parts, Commission for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

Date: July 27, 2004
Signature: Lora Gurley
Printed Name: Lora Gurley

The Director is hereby authorized to charge any additional amount required, or credit any overpayment, to Deposit Account No. 19-4409.

A copy of the Notice to File Missing Parts is also enclosed as requested.

Respectfully submitted,

By: 
Nancy T. Morris, Reg. No. 42,017
STINSON MORRISON HECKER LLP
1201 Walnut Street, Suite 2800
Kansas City, MO 64106-2150
Telephone: (816) 842-8600
Facsimile: (816) 691-3495
Attorney for Applicants

Enclosures

DTMDOCS 963890v1